

Draft NPDES Permit Review Checklist

I. Draft Permit or Pre-State Visit Review Information

1. NPDES Permit number of facility: TX0136778 (WQ0014488003)

2. Name of facility: City of Dripping Springs

3. Type of Facility? (check one per row)

<input type="checkbox"/> New	<input type="checkbox"/> Existing
<input type="checkbox"/> Major	<input checked="" type="checkbox"/> Minor
<input checked="" type="checkbox"/> POTW	<input type="checkbox"/> Non-POTW

4. State contact/permit writer: Mr. Julian D. Centeno, Jr.
 Email: Julian.Centeno@tceq.texas.gov
 Phone: (512) 239-4608

5. Draft Permit Reviewer: Greg Valentine
 Email: Valentine.Greg@epa.gov
 Phone: (214) 665-3111
 Date Reviewed: October 7, 2016

6. Desktop Permit Reviewer: N/A
 Date Reviewed: N/A

7. State Visit Reviewer: N/A
 Date Reviewed: N/A

Comments: New Permit; Discharge to 303(d) waters (sulfate – 1427); No TMDL; Priority Watershed of Critical Concern (Barton Springs Salamander, endangered, in 1427); No WET – minor facility; No variance requests; Daily Average flow not to exceed 995,000 GD; Process incorporates external carbon source addition and chemical (alum) addition for phosphorus removal; Conducted Tier 1 & Tier 2 Antideg review – no issues.
(Additional space on page 8)

II. Basic Permit and Facility Information

II.A Basic Permit Information

1. Does the permit contain appropriate issuance, effective, and expiration dates and authorized signatures? ☒ Yes ☐ No

a. What is the permit issuance date? Draft Permit ☒ NA

b. What is the permit effective date? Draft Permit ☒ NA

c. What is the permit expiration date? September 1, 2019

d. Is the permit term 5 years or less? ☒ Yes ☐ No

2. Does the permit contain specific authorization-to-discharge information (from where, to where, by whom)? ☒ Yes ☐ No

Comments: Treated effluent is discharged to Walnut Springs; thence to Onion Creek in Segment No. 1427 of the Colorado River Basin.
(Additional space on page 8)

II.B Basic Facility and Receiving Water Information

1. Does the record or permit describe the physical location of the facility (e.g., address, lat/long)? ☒ Yes ☐ No

2. Does the record include a description of the type of activities and wastewater treatment process at the facility? ☒ Yes ☐ No

3. Are all outfalls from the facility properly identified and authorized in the permit (including stormwater and/or combined sewer overflow outfalls, if appropriate)? ☒ Yes ☐ No

4. Does the record clearly identify the name of the receiving water(s)? ☒ Yes ☐ No

5. Does the record clearly identify the location within the receiving water(s) where the discharge(s) occur? ☒ Yes ☐ No

6.	Does the record describe (list) the designated uses of the receiving water(s) to which the facility discharges (e.g., contact recreation, aquatic life use)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7.	Does the record indicate that the receiving water(s) is/are impaired for any uses (i.e., that the receiving water(s) is/are listed on the State's 303(d) list)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
a.	If yes, list impairments <u>Sulfate – 1427</u>	
8.	Does the record indicate that a TMDL has been COMPLETED for the pollutant(s) causing the impairment(s)?	<input type="checkbox"/> NA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Comments: _____		

<i>(Additional space on page 8)</i>		

III. Permit Application		
1	Was the current, appropriate application submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2	Was the complete permit application submitted at least 180 days prior to permit expiration?	<input type="checkbox"/> Yes <input type="checkbox"/> No
a.	Date complete application submitted? <u>October 20, 2015</u>	
b.	Date of previous permit expiration? <u>N/A</u>	
3	Is the permit application complete (including all attachments, diagrams, etc.) and signed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4.	Does the permit application provide all required analytical data?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
a.	New Dischargers:	
	<u>POTW</u> : Form 2A Requirements:	<input type="checkbox"/> NA <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<u>Non-POTW</u> : Form 2D Requirements (anticipated effluent discharge)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No
b.	Existing Dischargers:	
	<u>POTW</u> : Have 3 pollutant scans been performed within the existing permit term?	<input type="checkbox"/> NA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Does the permit application provide the results of at least 4 quarterly WET tests/4 yrs. annual data?	<input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No
	<u>Non-POTW</u> : Based on the industrial category, have the correct Form 2C analytical requirements been met?	<input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No
5	For effluent data provided in the permit application, were analytical detection levels sufficiently sensitive to assess compliance with applicable water quality standards?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Comments: <u>5. N/A – New permit, facility has not yet been built.</u>		

<i>(Additional space on page 8)</i>		

IV. Effluent Limitations		
IV.A General Elements		
1	Does the fact sheet describe the basis (technology or water quality) for each of the final effluent limits?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
a.	Does the record indicate that a comparison of technology and water quality-based limits was performed, and the most stringent limit selected?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.	Does the record indicate that all limits are at least as stringent as those in the previous permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
a.	If no, specify: <u>N/A – new permit, facility has not yet been built.</u>	

- b. If no, does the record discuss whether “anti-backsliding” provisions were met? ☒ NA ☐ Yes ☐ No

Specify: N/A

3. Does the record indicate that the permit will allow new or increased loadings to the receiving water? ☒ Yes ☐ No

- a. If yes, does the record indicate that an “antidegradation” review was performed in accordance with the state’s approved antidegradation policy? ☐ NA ☒ Yes ☐ No

Specify: Tier 1 & 2 show no effect on existing uses or degradation of water body – POW disagrees

4. Does the permit contain a compliance schedule? ☐ Yes ☒ No

- a. If yes, what is the final compliance date? N/A

- b. Is the schedule consistent with 40 CFR 122.47 & EPA’s May 2007¹ memo? ☐ NA ☐ Yes ☐ No

Comments: N/A

(Additional space on page 8)

IV.B Technology-Based Effluent Limits

POTWs: (For non-POTWs skip to question 6)

1. Does the permit contain numeric limits for ALL of the following: BOD₅ (or an alternative; e.g., CBOD₅, COD, TOC), TSS, and pH? ☒ Yes ☐ No

2. Are technology-based permit limits expressed in appropriate units of measure (i.e., concentration, mass, SU)? ☒ Yes ☐ No

3. Are permit limits for BOD₅ and TSS expressed in terms of both 30-day (monthly) average and 7-day (weekly) average limits? ☒ Yes ☐ No

4. Are concentration limitations in the permit at least as stringent as the secondary treatment requirements (30 mg/l BOD₅ and TSS for a 30-day (monthly) average and 45 mg/l BOD₅ and TSS for a 7-day (weekly) average)? ☒ Yes ☐ No

- a. If no, does the record provide a justification (e.g., waste stabilization pond, trickling filter, etc.) for the alternate limitations? ☒ NA ☐ Yes ☐ No

Specify: N/A

5. Are percent removal requirements for BOD₅ (or BOD₅ alternative) and TSS included? ☒ Yes ☐ No

- b. If no, does the record indicate the application of more stringent requirements than 85% removal (such as WQBELs] or other requirements)? Or an alternative consistent with 40 CFR 133.103 (e.g waste stabilization pond, trickling filter, etc.) has been approved? ☒ NA ☐ Yes ☐ No

Specify: N/A

Comments: For POTWs, the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.

(Additional space on page 8)

Non-POTWs: (For POTWs skip to Section IV.C)

6. Are technology-based permit limits expressed in appropriate units of measure (i.e., concentration, mass, SU)? ☐ Yes ☐ No

7. Are all technology-based limits expressed in terms of both maximum daily and monthly average limits? ☐ Yes ☐ No

8. For all limits that are based on production or flow, does the record indicate that the calculations are based on a “reasonable measure of actual production” for the facility (not design)? ☐ Yes ☐ No

¹ Memorandum from Jim Hanlon, Director, Office of Wastewater Management to Alexis Strauss, Director, Water Division EPA Region IX regarding *Compliance Schedules for Water Quality-Based Effluent Limitations in NPDES Permits*.

9. Does the permit contain "tiered" limits that reflect projected increases in production or flow? ☐ Yes ☐ No

a. If yes, does the permit require the facility to notify the permitting authority when alternate levels of production or flow are attained? ☐ NA ☐ Yes ☐ No

10. Is the facility subject to a national effluent limitations guideline (ELG)? ☐ Yes ☐ No

a. If yes, what categories and subcategories apply? _____

i. ☐ new source ☐ existing source?

ii. Does the record explain how the categorization and performance levels (BPT, BCT, BAT, NSPS) were determined? ☐ NA ☐ Yes ☐ No

iii. Does the record adequately document the calculations used to develop ELG-based effluent limits? ☐ NA ☐ Yes ☐ No

iv. Are final limits as stringent as required by applicable effluent limitations guidelines? ☐ NA ☐ Yes ☐ No

If no, list parameters: _____

Specify the basis in the record: _____

b. If the facility is not subject to an ELG (or if the facility includes processes or waste streams that are not subject to ELG), does the permit include technology-based limitations based on Best Professional Judgment (BPJ) for all conventional, nonconventional, and toxic pollutants in the discharge? ☐ NA ☐ Yes ☐ No

If yes, specify what parameters are based on BPJ: _____

c. For limits developed based on BPJ, does the record indicate that the limits were developed considering all of the criteria established at 40 CFR 125.3(d)? ☐ NA ☐ Yes ☐ No

d. Does the record adequately document the calculations used to develop BPJ technology-based effluent limits? ☐ Yes ☐ No

Comments: _____

(Additional space on page 8)

IV.C Water Quality-Based Effluent Limits

1. Does the record describe how "pollutants of concern" were selected for the limit development process? ☒ Yes ☐ No

2. If the receiving water is impaired (i.e. 303(d) list) (see question II.B.7.), does the facility discharge pollutants that cause or contribute to the impairment? ☒ Yes ☐ No

3. If a TMDL has been completed for the receiving water (see question II.B.8.), does the facility discharge pollutants that cause or contribute to the impairment? ☒ NA ☐ Yes ☐ No

a. If yes, does the permit include WQBELs that are consistent with the assumptions and requirements of the WLA portion of the TMDL(s)? ☒ NA ☐ Yes ☐ No

4. Has the state made a finding that the discharge does or does not have a reasonable potential to cause, or contribute to an excursion beyond the applicable numeric water quality criterion for:

(a) every pollutant identified in the permit application, DMRs, or other relevant documentation as present in the discharge(s)? ☐ Yes ☐ No

(b) parameters subject to technology-based effluent limitations? ☐ Yes ☐ No

(c) each relevant outfall? ☐ Yes ☐ No

5. Does the record include reasonable potential analysis documentation provided (e.g. summary tables, spreadsheets)? ☐ Yes ☒ No

a. If no, list all parameters of concern for which RP was not identified in record.

N/A – new permit, facility has not yet been built

6.	Does the record indicate that background data for the receiving water was used in limit development calculations?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
a.	If yes, for which parameters? <u>New permit, facility has not yet been built.</u>	
b.	If no, what was the default used in calculations? <u>N/A</u>	
7.	Did limit calculations (i.e., calculations/WQ model) provide an allowance for mixing zones/dilution?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
a.	If yes, does the record describe the mixing zone policy and how the dilution allowance was determined?	<input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No
b.	If yes, did the analysis account for contributions from other sources (e.g., ambient/background concentrations)?	<input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No
8.	Based on analyses conducted, does the permit contain numeric effluent limits for all pollutants that have a reasonable potential to cause or contribute to an excursion of applicable WQ standards?	<input type="checkbox"/> NA <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9.	For all final WQBELs, does the permit contain both long-term (e.g., average monthly) and short-term (e.g., maximum daily, instantaneous) effluent limits?	<input type="checkbox"/> NA <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
a.	If no, identify all pollutants for which there was RP but no final limit: <u>N/A</u>	
10.	Are all WQBELS expressed in appropriate units of measure (i.e., concentration, mass, SU)?	<input type="checkbox"/> NA <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11.	Does the record include limit development calculations for each pollutant limited in the permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
a.	If no, which pollutants do not have documentation of calculations? <u>N/A – new permit, facility has not yet been built.</u>	
b.	Are all final WQBELs in the permit consistent with the justification and documentation provided in the record?	<input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No
12.	Does the record indicate the state considered its applicable narrative water quality criteria in developing water quality based permit conditions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Comments: <u>N/A</u>		
<u></u>		
<u></u>		
<i>(Additional space on page 8)</i>		

V. Monitoring and Reporting Requirements

1	Does the permit require at least annual monitoring for all limited parameters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.	Are monitoring location(s) and frequency(s) identified?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
a.	If yes, specify: <u>Following the final treatment unit.</u>	
3.	Are the type, frequency, and location of monitoring adequate to assure compliance with each effluent limitation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4.	Does the permit require testing for Whole Effluent Toxicity?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5.	Does the permit require use of a sufficiently sensitive 40 CFR 136 method capable of quantifying the pollutant at a concentration equal to or less than the limit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6.	POTWs: Does the permit require influent monitoring for BOD ₅ (or alternative) and TSS?	<input type="checkbox"/> NA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

7. **Non-POTWs:** For monitoring of ELG based limits, if the monitoring frequency is less frequent than annual, does the record indicate that the facility applied for and was granted a monitoring waiver?

☒ NA ☐ Yes ☐ No

a. If yes, does the permit specifically incorporate this waiver?

☒ NA ☐ Yes ☐ No

Comments: N/A

(Additional space on page 8)

VI. Standard Conditions

1. Does the permit contain all 40 CFR 122.41 standard conditions?

☒ Yes ☐ No

☐ (a) Duty to comply

(l) Reporting requirements

☐ (b) Duty to reapply

☐ (1) Planned change

☐ (c) Need to halt or reduce activity not a defense

☐ (2) Anticipated noncompliance

☐ (d) Duty to mitigate

☐ (3) Transfers

☐ (e) Proper operation & maintenance

☐ (4) Monitoring reports

☐ (f) Permit actions

☐ (5) Compliance schedules

☐ (g) Property rights

☐ (6) Twenty-four hour reporting

☐ (h) Duty to provide information

☐ (7) Other non-compliance

☐ (i) Inspections and entry

☐ (8) Other information

☐ (j) Monitoring and records

☐ (m) Bypass

☐ (k) Signatory requirement

☒ (n) Upset

2. Is the language of all 122.41 standard conditions at least as stringent as the federal regulations?

☐ Yes ☒ No

a. If no, specify: No definition of Upset

3. Does the permit or fact sheet indicate that certain bypasses will be "approved" (i.e., No enforcement will be taken when system specific conditions i.e., wet weather flows exceed specified levels) are met?²

☐ Yes ☒ No

a. If yes, does the record for the permit provide an adequate demonstration that there are "No feasible alternatives" to the bypass under the conditions when bypass is approved?

☒ NA ☐ Yes ☐ No

4. **POTWs:** Does the permit contain the additional standard condition for POTWs regarding notification of new introduction of pollutants and new industrial users [122.42(b)]?

☐ NA ☒ Yes ☐ No

5. **Non-POTWs:** Does the permit contain the additional standard condition for non-municipals regarding notification levels [122.42(a)]?

☒ NA ☐ Yes ☐ No

Comments: N/A

(Additional space on page 8)

² One example of a less stringent permit provision would be if the permit provides "Bypass is prohibited unless [listed criteria are met]" rather than "Bypass is prohibited, and the Director may take enforcement action against a permittee unless [listed criteria are met]". Another example would be, if the criteria for limiting enforcement are less stringent than that used in the bypass regulation (No feasible alternatives, etc.)

VII. Administrative Record

VII.A Technical Requirements

1. If the draft permit was reviewed, was the file copy of permit the same as the draft version? ☒ NA ☐ Yes ☐ No
- a. Does the file indicate that the permit was revised between the draft and final permit? ☒ NA ☐ Yes ☐ No
- b. If yes, specify: N/A – Only the draft permit was reviewed.
2. Subsequent to issuance, has the permit been modified? ☒ NA ☐ Yes ☐ No
- a. If yes, was the modification processed in accordance with 122.62 & 122.63? ☒ NA ☐ Yes ☐ No
3. Does the file include supporting documentation referenced in the fact sheet that was used to develop permit limits and conditions? ☐ Yes ☒ No

Comments: N/A – New permit, facility has not yet been built.

(Additional space on page 8)

VII.B Public Notice

1. Does the record include documentation of public notice in accordance with 124.10? ☐ Yes ☐ No
2. Does the record include all comments received, if any? ☐ Yes ☐ No
3. Does the record include a written response to all significant comments? ☐ Yes ☐ No
4. Was a public hearing requested? ☐ Yes ☐ No
5. Was a public hearing held in accordance with applicable state and federal regulations? ☐ NA ☐ Yes ☐ No
- a. If yes, is the recording or transcript part of the administrative record? ☐ NA ☐ Yes ☐ No

Comments: Public Notice is done simultaneously with EPA's review of the proposed draft permit package.

(Additional space on page 8)

VIII. Other Program Areas

1. Does the permit require development and implementation of a Best Management Practices (BMP) plan or site-specific BMPs? ☐ Yes ☒ No
- a. If yes, does the permit adequately incorporate and require compliance with the BMPs? ☒ NA ☐ Yes ☐ No
2. Do any of the following program area requirements apply?
- | | |
|---|---|
| <input type="checkbox"/> Stormwater | <input type="checkbox"/> Concentrated Animal Feeding Operation (CAFO) |
| <input type="checkbox"/> Ambient sampling | <input type="checkbox"/> Offsets/trading |
| <input type="checkbox"/> Mixing studies | POTWs: |
| <input type="checkbox"/> Toxicity Identification Evaluation/Toxicity Reduction Evaluation (TIE/TRE) | <input checked="" type="checkbox"/> Pretreatment |
| <input type="checkbox"/> Bioassessment | <input checked="" type="checkbox"/> Biosolids |
| <input type="checkbox"/> 316(a) variances | <input type="checkbox"/> Combined Sewer Overflows (CSOs) |
| <input type="checkbox"/> 316(b) | <input type="checkbox"/> Sanitary Sewer Overflows (SSOs) |
| <input type="checkbox"/> Other (specify) _____ | <input type="checkbox"/> 301(h) variances |

Comments: N/A

(Additional space on page 8)

Additional comments: